

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

JOHN D. PONE, JR.. )  
Plaintiff, )  
 )  
v. ) JUDGMENT  
 )  
 )  
TOWN OF HOPE MILLS and MELISSA )  
ADAMS, *in her individual and personal* )  
*capacity* )  
Defendants. )  
 )  
No. 5:18-CV-558-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of defendants' motion to dismiss, defendants' motion to strike second amended complaint and plaintiff's motion to file second amended complaint.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered January 8, 2020, and for the reasons set forth more specifically therein, defendants' motion to dismiss for failure to state a claim is GRANTED, defendants' motion to strike second amended complaint is GRANTED and plaintiff's motion to file second amended complaint is DENIED.

**This Judgment Filed and Entered on January 8, 2020, and Copies To:**

Geraldine Sumter (via CM/ECF Notice of Electronic Filing)

Jason Vincent Federmack / Melissa R. Davis (via CM/ECF Notice of Electronic Filing)

January 8, 2020

PETER A. MOORE, JR., CLERK

/s/ Sandra K. Collins  
(By) Sandra K. Collins, Deputy Clerk